

GENERAL COUNSEL'S REPORT

February 25, 2015

B. Overton County Nursing Home, Livingston (Overton County), TN — CN1204-017AE

Request for a six month extension of the expiration date from March 1, 2015 to September 1, 2015. The project was originally approved on July 25, 2012 by unanimous vote for modification by new construction and renovation of the existing 160-bed nursing home with an expiration date of September 1, 2014. On July 23, 2014, a six month extension was granted. The estimated project cost was \$6,344,844.00.

The applicant reported during its original extension request in 2014 the project had been delayed due to the time it took to get design approval from the Department of Health (7 months) and also due to weather conditions. This extension request is prompted due to additional design changes required by the Department of Health.

BUTLER | SNOW

January 27, 2015

VIA HAND DELIVERY

Jim Christoffersen, Esq.
General Counsel
Tennessee Health Services and
Development Agency
Andrew Jackson Building, 9th Floor
502 Deaderick Street
Nashville, TN 37243

RE: Overton County Nursing Home, CN1204-017AE

Dear Mr. Christoffersen:

This letter on behalf of Overton County Nursing Home seeks an additional extension of the expiration date for the certificate of need referenced above.

Background

Overton County Nursing Home is a 160-bed nursing home located in Livingston, TN. The certificate of need in question was approved by the Agency in July of 2012 with an original expiration date of September 1, 2014. The project involves extensive modification and renovation, including new construction for 30 private rooms. The project does not add any new beds to the facility's license.

On July 23, 2014, the Agency approved the request by Overton County Nursing Home to extend the certificate of need expiration date to March 1, 2015. At the time that request was considered by the Agency, substantial progress toward completion had been accomplished, and based on assurances by the project architect and contractor, the facility was confident that construction and licensing would be completed before March 1, 2015.

Need for Additional Extension

Unexpected events have occurred that necessitate an additional extension. Even though the facility had been inspected regularly during the construction, the Department of Health recently required two changes that will extend the construction schedule: (1) the redesign of electrical outlets to include GFCI breakers and (2) the addition of an attic catwalk. These changes will extend the construction schedule by approximately sixty-three (63) days. Project

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construction is now scheduled to be completed on or about March 25, 2015, which is after the expiration date of March 1, 2015.

Overton County Nursing Home respectfully requests that the expiration date be extended an additional six (6) months, until September 1, 2015. The project construction should be completed on or about March 25, 2015, and an extension until September 1, 2015, will provide an abundance of time to accommodate any additional unforeseen complications with completion and licensing.

I am enclosing a check in the amount of \$3,561.50 in payment of the filing fee to support the requested extension (25% of the original fee of \$14,246). We would appreciate this request being placed on the agenda for the Agency's meeting scheduled for February 25, 2015. Please let me know if you have any questions or need additional information.

Thank you for your attention to this request.

Very truly yours,

BUTLER SNOW LLP



Dan H. Elrod

clw
Enclosure
cc: Jennifer Bouldin

STATE OF TENNESSEE
Health Services and Development Agency



Certificate of Need No. CN1204-017AE is hereby granted under the provisions of T.C.A. § 68-11-1601, *et seq.*, and rules and regulations issued thereunder by this Agency.

To: Overton County
317 East University Street
Livingston, TN 38570

For: Overton County Nursing Home

This Certificate is issued for: Modification and renovation to the existing 160-bed nursing home. The project includes the construction of a new building behind the existing facility which will include 30 private rooms but will not increase the licensed bed capacity of the facility. Renovations include cosmetic upgrades to the existing facility.

Modification: Modified pursuant to Rule 0720-10-.06(8) – On July 23, 2014 the Agency granted a six (6) month extension of the expiration date from September 1, 2014 to March 1, 2015. The project was originally approved on July 25, 2012.

On the premises located at: 318 Bilbrey Street
Livingston (Overton County), TN

For an estimated project cost of: \$6,344,844.00

The Expiration Date for this Certificate of Need is

March 1, 2015

or upon completion of the action for which the Certificate of Need was granted, whichever occurs first. After the expiration date, this Certificate of Need is null and void.

Date Approved: July 25, 2012

D. Lynn Johnson
Chairman

Date Issued: August 22, 2012

Date Reissued: September 24, 2014

Melanie Hill
Executive Director